

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

IN RE: : **CHAPTER 13 PROCEEDING**
TIFFANY P ELLIOTT : **CASE NO. : 17-60303**
LARRY R ELLIOTT : **JUDGE RUSS KENDIG**
DEBTOR(S) : **MOTION FOR DISMISSAL**

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Now comes the Chapter 13, Trustee, **Toby L. Rosen**, and requests that the case be **DISMISSED** because of the following:

1. Debtor(s) filed a petition for relief under Chapter 13 on February 20, 2017.
2. The Debtor(s) failed to provide the items requested in the Notice of Noncompliance:
 1. Must file with Court pay advices for 2 months prior to filing
 2. State tax return
 3. Claim number 1 and 2 need objections to interest rates 5.75%
 4. Copy of signed petition page 6 w/ Affidavit

Because of the above, the Debtor(s) is/are causing an unreasonable delay in the administration of the case that is prejudicial to the creditors, and therefore, the Trustee requests that the above named case be **dismissed** pursuant to Bankruptcy Code 1307(c)(1).

/S/Toby L. Rosen
Toby L. Rosen, Chapter 13 Trustee

CERTIFICATE OF SERVICE

I certify that on July 10, 2017, a true and correct copy of the MOTION was served:

Via the court's Electronic Case Filing System on these entities and individuals who are listed on the court's Electronic Mail Notice List:

JAMES K REED, on behalf of TIFFANY P and LARRY R ELLIOTT, at
reed108@hotmail.com

And by regular U.S. Mail, postage prepaid, on:

TIFFANY P and LARRY R ELLIOTT
6398 CHILTREN ROAD
CANAL FULTON, OH 44614

/s/ Toby L. Rosen
Toby L. Rosen, Chapter 13 Trustee
400 West Tuscarawas Street, 4th Floor
Canton, Ohio 44702
330-455-2222

NOTICE OF MOTION FOR DISMISSAL AND NOTICE OF HEARING

TOBY L. ROSEN, the Standing Chapter 13 Trustee, has filed papers with the Court to **DISMISS** your case.

Your rights may be affected. You should read these papers carefully to discuss them with your attorney, if you have one, in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to **DISMISS** your case, or if you want the Court to consider your views on the **DISMISSAL**, then on or before **JULY 31, 2017**, you or your attorney must file with the Court an objection, and attend a Hearing on said objection on **AUGUST 30, 2017** at 1:30 PM at:

**United States Bankruptcy Court
Ralph Regula Federal Building
401 McKinley Ave, S.W.
Canton, OH 44702**

You must also mail a copy to:

**Toby L. Rosen, Chapter 13 Trustee
Charter One Bank Building 4th Floor
400 Tuscarawas Street
Canton, Ohio 44702**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting the dismissal.

/S/Toby L. Rosen
Toby L. Rosen, Chapter 13 Trustee